

FROM: 80637053
TO:
SUBJECT: Pro-Se-Motion
DATE: 07/25/2013 06:06:52 PM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

Plaintiff.

vs.

BEBARS BASLAN,
Defendant.

-----X

FILED
IN CLERK'S OFFICE
US DISTRICT COURT

★ JUL 29 2013

BROOKLYN OFFICE

Docket NO: 13-CR-220
Hon. Raymond Dearie

COMBINED AFFIDAVIT
AND
"UNEQUIVOCAL"
MOTION TO SUBSTITUTE COUNSEL WITH THE DEFENDANT
ACTION IN PROPRIA PERSONA, PURSUANT TO FARETTA V. CALIFORNIA.

1. COMES NOW THE DEFENDANT, Bebars Baslan, acting pro-se, and in support of the above styled motion hereby states as follows.
2. I am the above named defendant. I make this combined sworn affidavit and Faretta motion, under the penalties of perjury, pursuant to the Title 28, of the United States Code, section 1746.
3. The defendant prays entry of an ORDER, permitting the defendant to assume the position of the first seat - lead counsel in the instant matter as permitted by Faretta v. California, 422 U.S. 806; 45 L.Ed.2d 562; 95 S. Ct. 2525 (1975). The application made herein is an "Unequivocal" (emphasis added) application as required by the United States Court of Appeals for the Second Circuit.
4. The defendant understands that at the court discretion, the court may appoint standby counsel. In that regard the defendant would not object to the appointment of the Federal Public Defenders Office as standby counsel.
5. The defendant is essentially indigent by operation of the obstructive behavior of the United States Department of Justice, through it's Federal Bureau of Prisons unit at Brooklyn, New York. There exists a large group of people within the Jewish Community, of which the defendant is a member, who have banded together to form what is commonly referred to as the Bebars Baslan defense fund. These community members have formed a group to collect funds for the defendants defense.
6. A major obstructive issue has arisen wherein the Federal Bureau of Prisons had banned the defendant for no apparent reason from receiving visits from the leaders of the funding group. Thus, the defendant cannot seek the community support as the defendants right to counsel and due process is being obstructed by the Federal Bureau of Prisons Staff.
7. Additionally, it appears that the community reads the Federal Bureau of Prisons obstruction as a not so subtle threat to the community leaders and has frozen access to the defense funds account until such time as the organization controlling the funds - A Jewish Civil Rights Group called DRORFREE - has a board meeting to decide the groups continuing support.
8. This obstructive behavior is tantamount to a situation wherein justice delayed is justice denied and the court is respectfully requested to take notice of the interference being forced upon the defendant by the Federal Bureau of prisons.
9. The defendant has already wasted \$58,000.00 of other peoples funds on present counsel Anthony Cariddi. Counsel Cariddi has essentially churned the account of the defendant and provided no substantial pre-trial motions assistance. In and for the reasons set forth supra the defendant "unequivocally" (emphasis added) prays leave to proceed pro-se, with appointed standby counsel from the Federal Public Defenders Service.

10. The motion is designed to insure judicial economy and brevity as to the pending case and to assist the court in the expeditious disposal of the instant matter.

WHEREFORE ALL THE PREMISE CONSIDERED, the defendant pray entry of an ORDER granting the relief requested supra, Leave to proceed Pro-Se, and such other and further relief as to this honorable court appears to be just and proper.

SWORN TO UNDER THE PENALTIES OF PERJURY, pursuant to 28 UCS ss: 1746

Date July 25, 2013

By: 

Bebars Baslan, Pro-Se.


Reg No: 80637-053

MDC Brooklyn

P.O.Box 329002

Brooklyn, New York 11232

PROOF OF SERVICE

I Bebars Baslan do hereby aver that I caused to be mailed the Original of the foregoing to the Clerk of the Court 
Raymond Dearie, U.S.D.J., In Chambers, 225 Cadman Plaza, East, Brooklyn, New York, 11201, [2] The United States
Attorneys Office, 271 Cadman Plaza, East Brooklyn, New York, 11201, and after having first placed same under separate cover
with sufficient first class postage affixed, pre-paid, and depositing same with the unit Five(5) North, BOP correctional officer, for
the deposit in the LEGAL MAIL BOX, pursuant to the prisoner mail box rule, on the date appearing infra.

Dated: July 25, 2013

By: 

Bebars Baslan.

Beatus Bassan
80637-053
MDC Brooklyn
Box 329002
Brooklyn NY 11232



NEW YORK NY 100
JUL 20 2013 PM 12 L

IN Chambers:

Hon. Raymond Dearie
U.S. District Judge
225 Cadman Plaza East
Brooklyn NY 11201

LegalMail

11201181803

